

**ASSEMBLY BILL**

**No. 143**

**Introduced by Assembly Member Cohn**

January 17, 2003

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An act relating to domestic violence.

LEGISLATIVE COUNSEL'S DIGEST

AB 143, as introduced, Cohn. Domestic violence: temporary support.

Existing law authorizes a court to issue protective orders in cases of domestic violence. Existing law also governs proceedings for dissolution of marriage, nullity of marriage, and legal separation, and proceedings to establish spousal, child, and family support.

This bill would express the intent of the Legislature to enact legislation to authorize a court to award temporary support to a person who is a victim of domestic violence prior to requiring that person to file for divorce, legal separation, or nullity of marriage, and spousal, child, or family support.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) The Legislature hereby finds and declares  
2 the following:

3 (1) Each victim of domestic violence faces different risks and  
4 options and must balance his or her needs for safety and financial  
5 support in different ways.

1 (2) Options that may work for some victims of domestic  
2 violence may increase the danger for others.

3 (3) Victims of domestic violence may need additional time to  
4 evaluate their risks and explore their options.

5 (b) It is the intent of the Legislature to enact legislation to  
6 authorize a court to award temporary support to a person who is  
7 a victim of domestic violence prior to requiring that person to file  
8 for divorce, legal separation, or nullity of marriage, and spousal,  
9 child, or family support. It is the intent of the Legislature to enable  
10 a victim of domestic violence to obtain an order for temporary  
11 spousal support when he or she obtains a protective order against  
12 a respondent who has a legal obligation to support him or her, and  
13 an order for temporary child support on behalf of any children who  
14 would be entitled to child support from that respondent, under  
15 current statutory provisions governing court-ordered spousal,  
16 child, and family support. The purpose of this legislation would be  
17 to afford the victims of domestic violence sufficient time to begin  
18 rebuilding their lives and developing financial independence prior  
19 to initiating the court proceedings necessary to obtain spousal,  
20 child, or family support.

